

REMARKS

Claims 1-4 and 6-13 are Allowable

The Office has rejected claims 1-4 and 6-13 on page 12 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over United States Patent No. 6,438,702 (Hodge) in view of Cisco SOHO 90 Series Secure Broadband Routers, 1992-2002, Cisco Systems (Cisco). Applicants respectfully traverse the rejections.

The cited portions of Hodge and Cisco do not disclose a method comprising broadcasting time signals from the web server to nodes of the home network without being prompted by a requesting device, as in claim 1. Support for this claim amendment may be found in at least paragraphs [0012] and [0025] of Applicants' application.

The cited portions of Hodge disclose customer premise equipment (CPE) that is connected to a time server by way of a timing path. *Hodge*, column 4, lines 37-49. The CPE initiates the method of the invention by requesting a precise network timing service. *Hodge*, column 4, lines 62-67. Responsive to the request from the CPE, the time server calculates a minimum reasonable delay that is defined as the minimum round trip time between the time server and the CPE. *Hodge*, column 5, lines 3-7. The time server and the CPE are then synchronized with one another based upon the minimum round trip time and then, subsequently, a minimum cell transfer delay is calculated. *Hodge*, column 5, lines 30-31 and 60-63. The minimum cell transfer delay is calculated through the sending of an Operation, Alarm, and Maintenance timing cell by the CPE, and the minimum cell transfer delay is used by the system to adjust the resulting time from the CPE timer. *Hodge*, column 5, lines 63-67 and column 6, lines 30-33.

The cited portions of Cisco disclose a router that allows up to five users to share a secure broadband connection with an integrated firewall. *Cisco*, page 1, section "Secure Internet Access." One protocol that is supported by the router is Simple Network Time Protocol (SNTP). *Cisco*, page 5, "Table 4."

In contrast to claim 1, the cited portions of Hodge and Cisco do not disclose a method comprising broadcasting time signals from the web server to nodes of the home network without being prompted by a requesting device. The cited portions of Hodge disclose a system in which the CPE initiates a request for a precise network timing service by sending the request to the timing network. *Hodge*, column 4, lines 62-67. The CPE is not in communication with another piece of CPE and does not broadcast time signals. *Hodge*, FIG. 1. Further, it would not have been obvious to modify the cited portions of Hodge to achieve the elements of claim 1 because the resulting system would require a requesting device to the CPE to generate a request so that a minimum round trip time and a minimum cell transfer delay can be calculated to ensure accurate timing information. *Hodge*, column 6, lines 30-33. The cited portions of Cisco disclose a router that supports SNTP and does not disclose broadcasting time signals. *Cisco*, page 5, “Table 4.” Therefore, the cited portions of Hodge and Cisco fail to disclose or teach the aforementioned elements of claim 1. Applicants respectfully submit that a *prima facie* case of obviousness does not exist based on the combination of Hodge and Cisco. Applicants respectfully request the rejection to claim 1 be withdrawn and submit that claim 1 is allowable.

Claims 2-4 and 6-13 depend from claim 1, which Applicants have shown to be allowable. Thus, claims 2-4 and 6-13 are allowable, at least by virtue of their dependency from claim 1.

Further, the dependent claims recite additional features that are not found in the cited portions of Hodge and Cisco. For example, claim 9 calls for an IP-enabled CPE that is selected from a group consisting of a telephone, a clock, a kitchen appliance, a television, a game console, and a Set Top Box (STB). The Office Action states that this subject matter is found in FIG. 1 and the Abstract of Hodge. *Office Action*, page 23. The cited portions of Hodge disclose only customer premise equipment (CPE). The cited portions of Hodge do not disclose a particular type of CPE and do not disclose the types of CPE recited in claim 9. The cited portions of Cisco disclose a router. *Cisco*, page 1. The combination of the cited portions of Hodge and Cisco fails to disclose the method of claim 9. Hence, claim 9 is allowable for this additional reason.

Claim 5 is Allowable

The Office has rejected claim 5 on page 36 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Hodge and Cisco and further in view of Release Notes for Cisco Aironet 1200 Series Access Points Running Firmware Version 12.00T, 2002, Cisco Systems, all pages (Cisco Aironet). Applicants respectfully traverse the rejection.

As stated previously with respect to claim 1, the cited portions of Hodge and Cisco do not disclose a method comprising broadcasting time signals from the web server to nodes of the home network without being prompted by a requesting device, as in claim 1. Incorporation of the cited portions of Cisco Aironet fails to disclose the aforementioned method of claim 1.

The cited portions of Cisco Aironet disclose a wireless LAN transceiver that can act as a connection point between wireless and wired networks or as the center point of a standalone wireless network. *Cisco Aironet*, page 2. Multiple SSIDs and VLANs can be supported. *Cisco Aironet*, page 2. The cited portions of Cisco Aironet make no mention of broadcasting time signals from a web server to nodes of the home network without being prompted by a requesting device. The cited portions of Hodge, Cisco, and Cisco Aironet fail to disclose the method of claim 1.

Claim 5 depends from claim 1, which Applicants have shown to be allowable. Thus, claim 5 is allowable, at least by virtue of its dependency from claim 1.

Claims 14-21 and 23-27 are Allowable

The Office has rejected claims 14-21 and 23-27 on page 12 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Hodge in view of Cisco. Applicants respectfully traverse the rejections.

The cited portions of Hodge and Cisco do not disclose a system with instructions to communicate time information representing the timing signal to the home network node via the home networking mechanism without being prompted by a request from the home network node, as in claim 14. Support for this claim amendment may be found in at least paragraphs [0012] and [0025] of Applicants' application.

The cited portions of Hodge disclose a system in which the CPE initiates a request for a precise network timing service by sending the request to the timing network. *Hodge*, column 4, lines 62-67. The CPE is not in communication with another piece of CPE and does not broadcast time signals. *Hodge*, FIG. 1. Further, it would not have been obvious to modify the cited portions of Hodge to achieve the elements of claim 14 because the resulting system would require a requesting device to the CPE to generate a request so that a minimum round trip time and a minimum cell transfer delay can be calculated to ensure accurate timing information. *Hodge*, column 6, lines 30-33. The cited portions of Cisco disclose a router that supports SNTP and does not disclose broadcasting time signals. *Cisco*, page 5, “Table 4.” Therefore, the cited portions of Hodge and Cisco fail to disclose or teach the aforementioned elements of claim 14. Applicants respectfully submit that a *prima facie* case of obviousness does not exist based on the combination of Hodge and Cisco. Applicants respectfully request the rejection to claim 14 be withdrawn and submit that claim 14 is allowable.

Claims 15-21 and 23-27 depend from claim 14, which Applicants have shown to be allowable. Thus, claims 15-21 and 23-27 are allowable, at least by virtue of their dependency from claim 14.

Further, the dependent claims recite additional features that are not found in the cited portions of Hodge and Cisco. For example, claims 18, 19 and 20 call for the home network node to comprise a Voice over Internet Protocol (VoIP) telephone, a clock, and an oven respectively. The Office Action states that this subject matter is found in FIG. 1 and the Abstract of Hodge. *Office Action*, pages 29 and 30. The Office Action further states that by definition the CPE of Hodge includes the items called for in claims 18, 19 and 20 because pages 6 and 7 of Applicants’ specification state that the CPE can include the aforementioned items. *Office Action*, page 3. The cited portions of Hodge disclose only customer premise equipment (CPE). The cited portions of Hodge do not disclose a particular type of CPE and do not disclose the types of CPE recited in claims 18, 19 and 20. The cited portions of Cisco disclose a router. *Cisco*, page 1. Pages 6 and 7 of Applicants’ application are not in the background section of Applicants’ application and do not constitute admitted prior art. Pages 6 and 7 of Applicants’ application are in the detailed description of the drawings section of Applicants’ application and describe types of CPEs that may fall within the disclosed system. Absent Applicants’ own disclosure there is

no teaching of a home network node that can comprise a Voice over Internet Protocol (VoIP) telephone, a clock, or an oven as set forth in claims 18, 19 and 20. The combination of the cited portions of Hodge and Cisco fails to disclose the system of claims 18, 19 and 20. Hence, claim 18, 19 and 20 are allowable for this additional reason.

Claim 22 is Allowable

The Office has rejected claim 22 on page 36 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Hodge and Cisco and further in view of Cisco Aironet. Applicants respectfully traverse the rejection.

As stated previously with respect to claim 14, the cited portions of Hodge and Cisco do not disclose a system with instructions to communicate time information representing a timing signal to the home network node via the home networking mechanism without being prompted by a request from the home network node, as in claim 14. Incorporation of the cited portions of Cisco Aironet fails to disclose the aforementioned system of claim 14.

The cited portions of Cisco Aironet disclose a wireless LAN transceiver that can act as a connection point between wireless and wired networks or as the center point of a standalone wireless network. *Cisco Aironet*, page 2. Multiple SSIDs and VLANs can be supported. *Cisco Aironet*, page 2. The cited portions of Cisco Aironet make no mention of instructions to communicate time information representing a timing signal to the home network node via the home networking mechanism without being prompted by a request from the home network node. The cited portions of Hodge, Cisco, and Cisco Aironet fail to disclose the system of claim 14.

Claim 22 depends from claim 14, which Applicants have shown to be allowable. Thus, claim 22 is allowable, at least by virtue of its dependency from claim 14.

Claims 28, 29, 31 and 34 are Allowable

The Office has rejected claims 28, 29, 31 and 34 on page 12 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Hodge in view of Cisco. Applicants respectfully traverse the rejections.

The cited portions of Hodge and Cisco do not disclose a method comprising broadcasting time signals from the piece of CPE to nodes of a home network without being prompted by a requesting device of the home network, as in claim 28. Support for this claim amendment may be found in at least paragraphs [0012] and [0025] of Applicants' application.

The cited portions of Hodge disclose a system in which the CPE initiates a request for a precise network timing service by sending the request to the timing network. *Hodge*, column 4, lines 62-67. The CPE is not in communication with another piece of CPE and does not broadcast time signals. *Hodge*, FIG. 1. Further, it would not have been obvious to modify the cited portions of Hodge to achieve the elements of claim 28 because the resulting system would require a requesting device to the CPE to generate a request so that a minimum round trip time and a minimum cell transfer delay can be calculated to ensure accurate timing information. *Hodge*, column 6, lines 30-33. The cited portions of Cisco disclose a router that supports SNTP and does not disclose broadcasting time signals. *Cisco*, page 5, "Table 4." Therefore, the cited portions of Hodge and Cisco fail to disclose or teach the aforementioned elements of claim 28. Applicants respectfully submit that a *prima facie* case of obviousness does not exist based on the combination of Hodge and Cisco. Applicants respectfully request the rejection to claim 28 be withdrawn and submit that claim 28 is allowable.

Claims 29, 31 and 34 depend from claim 28, which Applicants have shown to be allowable. Thus, claims 29, 31 and 34 are allowable, at least by virtue of their dependency from claim 28.

Claim 30 is Allowable

The Office has rejected claim 30 on page 36 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Hodge and Cisco and further in view of Cisco Aironet. Applicants respectfully traverse the rejection.

As stated previously with respect to claim 28, the cited portions of Hodge and Cisco do not disclose a method comprising broadcasting time signals from the piece of CPE to nodes of a home network without being prompted by a requesting device of the home network, as in claim

28. Incorporation of the cited portions of Cisco Aironet fails to disclose the aforementioned method.

The cited portions of Cisco Aironet disclose a wireless LAN transceiver that can act as a connection point between wireless and wired networks or as the center point of a standalone wireless network. *Cisco Aironet*, page 2. Multiple SSIDs and VLANs can be supported. *Cisco Aironet*, page 2. The cited portions of Cisco Aironet make no mention of a method comprising broadcasting time signals from the piece of CPE to nodes of a home network without being prompted by a requesting device of the home network. The cited portions of Hodge, Cisco, and Cisco Aironet fail to disclose the method of claim 30.

Claim 30 depends from claim 28, which Applicants have shown to be allowable. Thus, claim 30 is allowable, at least by virtue of its dependency from claim 28.

Claims 32 and 33 are Allowable

The Office has rejected claims 32 and 33 on page 39 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Hodge in view of Cisco and further in view of United States Patent No. 6,393,126 (van der Kaay et al.). Applicants respectfully traverse the rejections.

As stated previously with respect to claim 28, the cited portions of Hodge and Cisco do not disclose a method comprising broadcasting time signals from the piece of CPE to nodes of a home network without being prompted by a requesting device of the home network, as in claim 28. Incorporation of the cited portions of van der Kaay et al. fails to disclose the aforementioned method of claim 28.

The cited portions of van der Kaay et al. disclose a method to verify a trusted source of certified time and to digitally time stamp electronic documents in which the time stamp can be validated. *van der Kaay et al.*, column 1, lines 15-20. A billing scheme may be incorporated into the trusted time infrastructure. *van der Kaay et al.*, column 15, lines 39-43. Trusted local clients can transmit the number of time stamps issued for individual clients to a network operations center so that billing reports can be automatically generated. *van der Kaay et al.*, column 15, lines 45-49. The cited portions of van der Kaay et al. make no mention of a method comprising broadcasting time signals from the piece of CPE to nodes of a home network without

being prompted by a requesting device of the home network. The cited portions of Hodge, Cisco, and van der Kaay et al. fail to disclose the method of claim 28.

Claims 32 and 33 depend from claim 28, which Applicants have shown to be allowable. Thus, claims 32 and 33 are allowable, at least by virtue of their dependency from claim 28.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the cited references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

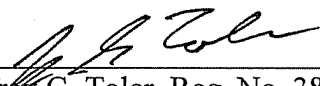
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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